

From: [Westen, Jacob](#)
To: [Dorka, Lilian](#)
Cc: [Covington, Jeryl](#); [Wilson, Adam](#); [Goldstein, Ivery](#); [Hoang, Anhthu](#); [Temple, Kurt](#)
Subject: RE: EPA Complaint No. 01RNO-20-R7: Draft Email Communication and POCs
Date: Monday, November 22, 2021 11:26:25 AM
Attachments: [CONFIDENTIAL DRAFT 2021.11.22 VCA EPA Complaint No. 01RNO-20-R7 DNR Redlines.docx](#)

Good morning!

Thank you for taking the time to prepare this document and meet with us last week. We appreciate the dialogue. Please find attached the Missouri DNR's proposed redlines to the VCA. There are some dates that we have highlighted that we consider tentative at best because much of the logistics are outside of our control. Please see the associated comments.

Additionally, we are formally requesting to participate in the informal resolution process with ECRCO regarding Issue 1.

Please let me know if you have any questions. Thank you, and have a Happy Thanksgiving!

Jacob Westen
General Counsel | MDNR
P. 573.751.5464
C. (b)(6) Privacy
E. Jacob.Westen@dnr.mo.gov

From: Dorka, Lilian <Dorka.Lilian@epa.gov>
Sent: Tuesday, November 2, 2021 1:45 PM
To: Westen, Jacob <Jacob.Westen@dnr.mo.gov>
Cc: Covington, Jeryl <Covington.Jeryl@epa.gov>; Wilson, Adam <wilson.adam@epa.gov>; Goldstein, Ivery <Goldstein.Ivery@epa.gov>; Hoang, Anhthu <Hoang.Anhthu@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>
Subject: FW: EPA Complaint No. 01RNO-20-R7: Draft Email Communication and POCs
Importance: High

Hello Jacob,

Hope you are doing well. As a follow-up to our discussion on September 1, 2021, ECRCO is pleased to provide the attached draft Voluntary Compliance Agreement (VCA) to address the violations documented in the March 30, 2021 Partial Preliminary Findings Letter. We would like to schedule some time to go over the attached to answer any questions, etc., so that we can move to finalize the VCA as soon as possible. Please let us know of your (and others there, including Director Buntin if he wishes to discuss) availability for the weeks of November 8, 2021 and November 15, 2021. Upon receipt of this availability, we will coordinate our schedules and send you a meeting invitation.

With respect to Issue #1 of the accepted complaint (and the remaining public participation issue), we would like to enter into formal negotiation with MoDNR to resolve these issues

through an Informal Resolution Agreement (IRA), and suspend our formal investigation as to Issue 1 (Whether MoDNR discriminated on the basis of race, color and/or national origin as the result of MoDNR's air quality permitting program). Please let us know if MoDNR would like to move to IRA discussions on Issue 1 at this time and whether you have any questions. We look forward to engaging in those discussions as soon as possible and to working with you to draft an IRA that addresses the remaining issues.

If you have any questions or concerns, please do not hesitate to contact me.

Lilian

Lilian Sotolongo Dorka, Director
External Civil Rights Compliance Office
Office of General Counsel
U.S. Environmental Protection Agency
202-564-9649 - Office
202-695-9888 – Cell
Pronouns: she/her/hers